

## **REMARKS**

### ***Formal Matters***

Applicants thank the Examiner for acknowledging claim to foreign priority and receipt of a certified copy of the priority document. Applicants thank the Examiner for indicating consideration of the IDS filed on February 22, 2006.

However, Applicants note that the Examiner has not indicated if the drawings filed in the current patent application have been accepted.

Therefore, Applicants respectfully request the Examiner to indicate in the next Office Action that the drawings have been accepted.

### ***Claims***

Claims 1-9 are all the claims pending in the application. New claims 10-12 have been added to obtain additional claim coverage.

### ***Prior Art Rejections***

Claims 1, 4, and 7 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Bachl et al. (US Pub. No. 2002/0191578), hereinafter "Bachl".

For at least the following reasons, Applicants traverse the rejections in the Office Action.

#### **Independent Claim 1**

Independent claim 1 recites a feature of re-encoding a TFCI (Transport Format Combination Indicator) value that has been once decoded and "comparing the re-encoded TFCI value with a TFCI symbol received from a mobile station". Claim 1 further recites determination means for using the number of TFCI error bits resulting from the comparison to determine uplink

reception synchronization. The Examiner contends that Bachl anticipates all the features of claim 1.

The Examiner states that Bachl discloses that the TFCI can be re-encoded at the receiver site to obtain the transmitted TFCI bits to be used as an additional pilot symbol for the channel estimation for the DPDCH. See Office Action page 3 and [0022] in Bachl. However, the Examiner does not cite to any portion of Bachl as disclosing that the re-encoded TFCI value is compared with a TFCI symbol received from a mobile station and the TFCI error bits resulting from such a comparison are used to determine uplink reception synchronization. The Examiner contends that because Bachl teaches that TFCI bits can be used as additional pilot symbols, Bachl anticipates the above described features of claim 1.

Applicants submit that Bachl does not anticipate the above mentioned features of claim 1. Bachl teaches that the most likely TFCI is determined and the determined TFCI is fed into a TFCI encoder, which outputs 30 TFCI bits associated with the determined TFCI. See [0060] in Bachl. Bachl further teaches that a multiplication operation takes place whereby the obtained TFCI bits are used to remove TFCI bit information from the received data. See [0061]. Hence, until this point Bachl has suggested that TFCI bit information is removed from the data received from the mobile station. Bachl then suggests that the obtained data (received data devoid of the TFCI bit information) is fed into a second channel estimation device 10. See [0062] in Bachl. Bachl further suggests that the channel estimation device provides the channel estimates to compensate the DPDCH data stream. See [0062] in Bachl. It is apparent from the above discussion that Bachl does not teach or suggest that the re-encoded TFCI value is compared with

a TFCI symbol received from a mobile station and that the TFCI error bits resulting from such a comparison are used to determine uplink reception synchronization.

Therefore, Applicants submit that claim 1 contains patentable subject matter and request the Examiner to withdraw the rejection.

Claims 2-3, 5-6, and 8-9 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bachl in view of Ohno et al. (US Pub No. 2005/0157759).

Applicants traverse the rejection for at least the following reasons.

**Dependent Claim 3**

Claim 3 recites a feature of determining whether or not to use a reception SIR (Signal to Interference power Ratio) value computed with the pilot symbol, the number of pilot error bits of the pilot symbol, the number of the TFCI error bits, and the characteristic indicator value for the determination of uplink reception synchronization, depending on a radio environment. The Examiner contends that the combination of Bachl and Ohno discloses such a feature.

The Examiner states that a TFCI decision unit which is connected to controller 21, 62 which is connected to a DPCCH creation unit which uses the TFCI bits discloses all the features of claim 3.

Applicants respectfully submit that Bachl and Ohno combined do not teach all the features of claim 3. Bachl and Ohno do not suggest computing a reception SIR value nor suggest computing a characteristic indicator value. Further, Bachl and Ohno do not suggest that a determination is made as to which of the computed values should be used for determining uplink reception synchronization.

Therefore, Applicants submit that claim 3 contains patentable subject matter and request the Examiner to withdraw the rejection.

**Independent Claims 4 and 7**

Independent claims 4 and 7 recite, *inter alia*, features that distinguish over the cited art similar to those features that patentable distinguish claim 1 over the cited art. These claims are thus patentable at least for the reasons claim 1 is patentable. These claims are also patentable by reason of the other features contained therein.

**Remaining Dependent Claims**

Applicants submit that the remaining dependent claims are patentable at least by virtue of their dependency. They are also patentable by virtue of the features therein.

***Conclusion.***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No.: 10/721,886

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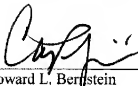
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**23373**

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